

HOWNIKAN

PEOPLE OF THE FIRE



Vol. 23, No. 7

Citizen Potawatomi Nation

July 2001

Supreme Court ruling fails to resolve issues

By GLORIA TROTTER

(Reprinted From The Shawnee Sun & Tecumseh Countywide News, Aug. 23, 2001)

The Citizen Potawatomi Nation's Supreme Court has ruled that the tribe's Business Committee acted constitutionally when it voted to quit paying Chairman John A. Barrett Jr. but Barrett said the decision "does not remove the chairman's ability to supervise the affairs of the Business Committee and of the General Council."

Barrett also said the long-awaited decision, which was filed Wednesday morning, failed to resolve the primary issues before the court and called for a constitutional revision to clarify potential conflicts within tribal government. He said he intends to continue to "come to work every day just like always" even if he isn't being paid to act as administrator.

The ruling technically reversed the Potawatomi District Court decision on Resolution 01-01, which sought to strip Barrett of his salary and certain benefits. District Court Judge Phil Lujan earlier had ruled that resolution unconstitutional, but the Supreme Court said it was "constitutional insofar as it does not impermissibly interfere with the Constitutional authority and duties of the Chairman ..."

In a concurring opinion, Justice Truman Carter wrote that "nothing in our decision diminishes the duties of and responsibilities of the Chairman as declared in the Constitution or as may be hereafter properly delegated to the Chairman."

Chief Justice Bill Rice prepared the unanimous opinion, with only Carter writing a separate opinion. Concurring with Rice's opinion were Justices Lawrence Wahpepah, Robert Coffey and Greg Bigler. Justice Almon Henson was ill and did not participate in the case.

In ruling the resolution constitutional, the court quoted what it called the "substantive portion" of 01-01. It reads like this:

"Therefore be it resolved by the Business Committee of the Citizen Potawatomi Nation that the Business Committee does not authorize John A. Barrett Jr. to assume the day-to-day responsibilities of the Tribal Administrator and the Secretary/Treasurer is hereby directed to cease paying an annual salary to John A. Barrett Jr. and cease authorizing the personal use of a tribal vehicle effective July 13, 2000. However, nothing herein shall be construed to authorize the Secretary/Treasurer to withhold any payments to John A. Barrett Jr. that might be due him by virtue of any office to which he might be elected, including insurance benefits, prepaid legal, per diem or expenses to attend regional councils."

Also before the Supreme Court were two other resolutions approved by the Business Committee, made up of Barrett, Vice

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The complete text of the Supreme Court ruling and the text of a message to tribal employees from Chairman John A. Barrett are reprinted on pages 6-9.

Planting Sweet Potatoes

There will soon be a new crop of sweet potatoes at FireLake Farms, one of the Citizen Potawatomi Nation's newer enterprises. Workers are pictured here planting the potatoes. (Photo By Dennette Bare)

Tribe helps break ground for new rural water district

By LINDA CAPPS
CPN Vice Chairman

A groundbreaking ceremony was held at 4 p.m., Friday, August 31, in the town of Wanette, Oklahoma, for the Pottawatomie County Rural Water District No. 3 project. The ceremony was held at the site where the business office will be constructed in the very near future.

The project is a result of the determined efforts of numerous

individuals, organizations, and agencies coming together "as a team" in order to serve the people. The ultimate objective is improved and expanded water services throughout Southern Pottawatomie County. The improved service will impact many Citizen Potawatomi Nation tribal members and their families.

Third District Congressman Wes Watkins, champion of economic development and

lead proponent of improved water services for Third District residents, was the keynote speaker on the agenda. Adding special remarks to the main speaking session were Brent Kisling, State Director of Rural Development, and our own Citizen Potawatomi Nation Chairman John Barrett Jr.

Several hundred people watched as Chairman Barrett

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TRIBAL TRACTS

Rosewitz featured speaker at symposium

Major Paul R. Rosewitz, Chief, Military Education Team at the Army Reserve Personnel Command, St. Louis Missouri, and member of the Citizen Potawatomi Nation, was a featured speaker at the annual "War of 1812 In The West" symposium conducted at the Historic Bissell House historic site in St. Louis, Missouri.

Major Rosewitz's presentation, entitled "The Potawatomi Influence on the War of 1812 in the West" presented the only Native American perspective of the war at the symposium. Major Rosewitz explained the relationship of the Potawatomi Nation with the French,

English and Americans and the role of the Potawatomi in the French and Indian War and the American Revolution when they left their Wisconsin homelands and fought in engagements as far away as Virginia.

He then described the organization of the Potawatomi Nation and its deteriorating relationship with the fledgling United States that led to it siding with the British at the outbreak of hostilities. Major Rosewitz detailed the string of engagements the Potawatomi participated in during the War of 1812 including most notably the

devastating assault on Fort Dearborn at present day Chicago and the trip of the Potawatomi delegation that traveled to St. Louis to speak with General Clark, of Lewis and Clark fame, to discuss grounds for peace.

Adding to the discussion were several paintings and drawings as well as Potawatomi clothing items that gave the audience a better idea of the customs and appearance of the tribe during this pivotal period in the relationship of the Nation with the United States. Major Rosewitz also had copies of early treaties on hand to

illustrate the loss of land by the Nation prior to, during and after the War of 1812.

The symposium is conducted annually at sites primarily in Missouri to increase the understanding of the impact of the War of 1812 west of the Allegheny Mountains. The event is hosted by the V US Infantry and Missouri Rangers Living History Association and sponsored by the Missouri Department of Natural Resources. This was the third time Major Rosewitz has been asked to make a presentation to the organization.

Walking on

Walter G. Clardy

Walter 'Joe' Clardy died after a yearlong battle with lung cancer. He was born in Coucil Bluffs, IA and came to CA, in 1929, after the death of his father Gerald. He was a resident of the Los Angeles area for 69 years and moved to La Mesa, CA, over 3 years ago.

Joe was a graduate of Huntington Park High School. He was a sergeant in the Army Air Corp. during WWII. He was a member of the U.S. Tennis Assoc., Lake Murray Tennis Club and Sycuan

Casino Poker Club. Joe also played professional baseball in the Southwest International League in the 1950's, leaving the league, due to an injury, with a .346 average. Joe will be included in the Minor League Hall of Fame, a brand new facility in Memphis, TN, scheduled to open in 2003.

Joe was a member of the Citizen Potawatomi Nation of Oklahoma. Joe's grandfather, Benjamin Joseph Clardy lived in Shawnee for many years and was the first Potawatomi Indian to be elected to the House of Representatives in the 2nd Legislature of the Oklahoma Territory in 1892. Benjamin was also a charter member and first President of the Potawatomi Historical Society in Shawnee. Joe's great grandfather was Joshua E. Clardy who married Isabelle Bertrand, daughter of Joseph Bertrand Jr. and Elizabeth Ann Jackson. Joshua and Elizabeth were among the first forty Potawatomi families to travel to the Indian Territory in wagons to their new Potawatomi allotments in 1871.

Joe's hobbies included tennis tournaments, playing poker, reading, and critiquing political talk shows on television. He was a Democrat all his voting years. Joe is survived by his three daughters, Gail Pi-Gonzales of Fremont, CA, Judy Fernandez of El Cajon, CA, and Nita Freer of Santee, CA; seven grandchildren, Jenelle, Rachel and Holly Fernandez, Jonathon and Geoffrey Pi-Gonzalez, Garrett and Stephanie Freer and a great-grandson, Norman A. Jauregui.

William "Gene" Cranfill

William "Gene" Cranfill, age 69, of Yukon, passed from this life on Thursday, August 30, 2001, at Integrus Baptist Medical Center in Oklahoma City. He was born February 13, 1932, in

Greenfield, OK, to John and Hazel Cranfill. He was a member of the Citizen Potawatomi Nation, and a descendant of Mary Ann Melot.

A 1950 graduate of Calumet High School, Gene attended El Reno Jr. College and received his associates degree. Later, he earned his bachelor of education degree at U.C.O. in Edmond and his master's degree at the University of Oklahoma.

He was a lifetime educator and served in the Yukon School System for 42 years. He started as a teacher and moved up to principal, then served as Assistant Superintendent under both Dr. Darrel Hill and Terry Dean. After his retirement he volunteered to continue as Assistant Superintendent. Present Yukon Superintendent Dr. Bill Spaeth described Gene as being fiercely loyal to the Yukon School System.

He was a member of the Foundation for Excellence, a charter member of the Community Education Advisory Board, a member of the Yukon Park Board, and was on many other committees and involved in many other activities. No words can be used to explain all the help Gene gave to the community of which he was a vital part. If you didn't know Gene, you never knew how many lives he touched with his gracious care and the giving of his time. He was always ready to be of assistance or listen to your problems. He was a Korean War veteran, serving in the United States Air Force. He was also a member of the First Christian Church of Yukon where he was an Elder and a Trustee.

He was preceded in death by his parents, and one sister, Wanda Hansen. He is survived by his dear wife Gerry of 48 years; and all the children within the Yukon Public School System whom he

considered his own; three brothers-in-law, C.J. Hansen of Calumet, Freeman and Odessa Knight of El Reno, and Garnet and Nita Knight of El Reno; five sisters-in-law, Francis Schweitzer of Kingfisher, Katherine Schweitzer of El Reno, Margaret Corwin of El Reno, Mary Due of Yukon, and Jeannie McMahan of Yukon; and numerous nieces and nephews.

In lieu of flowers donations may be made to the Foundation For Excellence. Services were held September 1, 2001, at the Yukon Fine Arts Auditorium under the direction of Yanda & Son Funeral Home of Yukon and interment at the Geary Cemetery.



Olympic Staff

Tina Fugate is working for the U.S. Olympic Committee in Colorado Springs, CO. She is pictured here with former President Bill Clinton.

HOW-NI-KAN

PEOPLE OF THE FIRE

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Pow-Wow!

*A Series Examining The History & Etiquette
Of Native American Pow-Wows*
By Dennis Zotigh

HISTORY & EVOLUTION OF THE POW-WOW

The term "Powwow," according to Harcourt Brace Dictionary, "comes from the Algonquian Indian word 'pau wau,' meaning he dreams." A Powwow was originally an Indian medicine man or priest, who was presumed to have learned his art from his dreams. The "pau wau" may have originally had religious significance, but today's Powwow does not present itself as a religious event. However, isolated songs, activities and articles worn by the dancers have actual spiritual significance. Modern Powwows are social events that are generally open to the public.

It is recognized that the concept of the Powwow originated among the Plains Indians who inhabited the Great Plains from the Southern Prairies of Canada to the lower plains of Texas. All Native Americans had a rich history of songs and dances that were unique to their individual region and tribe.

Each summer, most Plains tribes held ceremonies in which all the bands, clans, and kinsmen would gather to renew intra-tribal alliances. The summer season was chosen because subsistence was plentiful and weather conditions permitted maximum mobility. These ceremonies were often the social highlights of the four seasons. Variations of ceremonial, sacred and social dances integrated the individual, communal, warrior and religious societies.

Many Plains tribes formed inter-tribal alliances. These bonds strengthened, from goodwill exchange visits to annual ceremonies. Early ceremonies were very strict. Chiefs, clan leaders, and holy men dictated the protocol involved in ceremonies. Ownership of dances and songs belonged to individuals, tribes, clans, and/or families. Through inter-tribal alliances, the authority of ownership extended beyond intra-tribal boundaries, once ceremonial songs, dances, and their significance were exchanged. These exchanges created a foundation for the inception of the Inter-tribal Powwow. To the Plains Indian,



culture was centered around war, buffalo, and later the horse. Individual or tribal prestige was measured in military accomplishments, number of horses owned, and ability to provide for other family and tribal members. The Plains Indian culture reached its peak in the early nineteenth century.

As the influx of European settlements began to dominate the Eastern, Western, and Southern seaboard, the attitudes of Plains Indians dramatically changed. The free spirit of a culture was gradually enclosed in boundaries of barbed wire. Forts, wagon trains, and later railroads paved the way for greater numbers of white settlements on the Plains. The buffalo herds were exterminated by the Anglo-American corporate interests. Tribes were reduced by disease, famine, and, to a lesser extent, United States governmental policies and military actions. Many Plains tribes staged a series of desperate stands to defend their way of life. With the great buffalo herds gone, the horses annexed or

annihilated, and the warrior tendencies discouraged, the incentive for many ceremonies were lost.

From every direction, Federal Indian policy dictated the gradual breakdown of Native American traditions. Most tribal gatherings continued in their entirety until the United States forced reservation concentration and acculturation through the Indian Removal Act of 1830. This act encouraged the further deterioration of Plains Indian culture by removing tribes from their original homelands to reservations selected by the United States Government. Many reservations bordered those of removed traditional enemies. The once nomadic hunters and warriors of the Plains were confined to a portion of their original territories. As a direct result, some tribes no longer had access to their ancestral ceremonial grounds.

Dancing among the Plains Indian was seen as a threat to the restructuring process by the non-Indian. As a result, reservation agents and

missionaries tried to halt ceremonies that they felt would enhance the spirit of the Indian. Government soldiers were often called in to forcibly enforce the agents' wishes.

In 1830, the first federal Indian school was established on the Yakima Reservation, in what is now the state of Washington. This school was in the forefront of other schools where cultural exchange would take place. Within thirty years, reeducation became a priority of federal Indian policy. This further perpetuated the deterioration of native culture and values. While in government schools, whole generations of Indian adolescents were punished for any exhibition that related to their innate cultural upbringing.

In 1845, the renowned painter George Catlin took the first Indian showmen to Europe. They were a group of nine Ojibway. During a British inaugural performance of a "Red Indian" dance, the royal crowd seemed unimpressed until it was announced that a War Dance was taking place. Immediately the crowd sprung

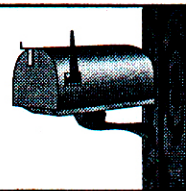
to their feet. At the close of the dances, the crowd commenced with a round of applause. This exchange set the European attitude that placed all Indian dancing under the umbrella title "War Dances." Traditional Indian dancing, if it was to be taken off the reservation, would have to be glamorized in order to appeal to a wide non-Indian audience. Indian showmen would also have a decisive impact on changing the context of Plains Indian dances in years to come.

The General Allotment Act (or Dawes Act) was passed in 1887. This act intended to break up the reservation system established fifty-seven years earlier. The provisions set by the Dawes Act allowed the government to abolish selected reservations and allot individual tribal members forty to one hundred and sixty acres of land. In addition, the act intended to assimilate the Plains warriors into farming. Only a portion of the Plains Indians were affected by the General Allotment Act. The majority of Plains Indian reservations, outside Indian Territory (later Oklahoma) stayed intact. Among the Southern Plains Indians, the Dawes Act escalated inter-tribal exchange and entry into mainstream America when compared to the reservation bound Indians of the Northern Plains.

Many tribes, particularly in the eastern one-third of the United States, lost most of their tribal identity. Of the approximately six hundred and fifty indigenous languages and dialects spoken in Northern America, one hundred and fifty fell out of use by the end of the allotment. Language is the nucleus of each tribal culture. Its demise had a catastrophic effect on tribal identity.

Plains Indian culture went through radical change in the nineteenth century. Many variables have contributed to the loss of the Plains Indian culture, as well as its acceptance by other Native Americans. The concurrent culture and perpetuation by non-Plains Indians, in reference to Plains Indians song and dance, has set the stage for an inter-tribal movement of Indian identity called ... Powwow.

From Our Mailbox



Dear Citizen Potawatomi Nation,

My name is Tina Bisbee-McKee (Rhodd). I am a divorced mother of three. I was recently hired as a cashier at the new FireLake Discount Foods.

I would like to thank the Human Resource Committee and all who were involved in my hiring. I have been out of the work force for seven years. I have been a housewife. You have given me a wonderful opportunity to work for my tribe.

I feel very fortunate to have this job. It is my understanding that over 1,000 people applied for the store.

Again, thank you for this opportunity.

Tina Bisbee-McKee (Rhodd)



Dear Scholarship Committee,

Sixteen years of school and what do I have, an education, a career possibility, some debt and an injured hamstring, quadriceps and weak ankles? I also have lifelong friendships, great resources, an alma mater, and stacks of used books that I'm sure will help me in the future.

On May 13, 2001, I graduated from Drury University in Springfield, Missouri. When I started college in August of 1997, it was called Drury College, but the college, like me, matured and now offers the world a little more for its money.

During my four years at Drury, I joined Delta Delta Delta and will have sisters for life. I also played four years of collegiate soccer under two soccer coaches and learned many of life's lessons about leadership, following teamwork and fair play. Out of my class, I finished my four years of soccer in the Missouri Valley Conference leading the Drury women in statistics.

I spent a semester in London, England, at Regis College. I had the opportunity to visit nearby countries and I think the globalization of the world is a little more positive because of my participation. At Regis I played soccer on a male-female

team and found out how serious those men take their soccer. I can now acknowledge that men don't pass the football, you have to take it and run.

I learned that family ties are the most important ties and I now understand my mother's favorite phrase; Faith, Family and Friends. I have learned that it is my job to try and leave every endeavor a little better off than when I started and that occasionally that will be a lot harder than I thought.

I know that I have enjoyed your support these past four years, and that you want to know I did okay. I think I did.

Jeanne Pierce



Dear Scholarship Committee:

I wanted to thank you for all the support I have received through college. I am excited to be graduating this spring. I am so grateful to have had the opportunity to attend college. The more that I learn the wider my interests become. The scholarships really made a difference to me and I appreciate the help from the Citizen Potawatomi Nation.

Thank you,

Odessa Robinson



Dear Scholarship Committee:

Through your financial assistance, I have been able to attend LPN School at Wes Watkins Vo-Tech. Thank you for helping me reach my dream; I will graduate July 27, 2001.

My future plans are to secure employment in this area and apply for admittance to the RN Program offered at Seminole State College.

Thank you so much for your assistance in helping me reach this career goal.

Sincerely,

Lori Snyder



Dear Scholarship Committee,

I wanted to thank you for your consideration and support through the

scholarship award towards my tuition at Oklahoma City University.

Even with the one-half minister's tuition remission, my PLUS classes (10-week cycles for adult classes) can run over \$800.00 per cycle, I'm averaging 6 hours per cycle in hopes of completing my undergraduate degree by Spring 2002. I have explored other ways of pursuing my goals for ministry but O.C.U. has afforded me many opportunities that other programs cannot through their school of religion.

All that to say, I deeply appreciate your assistance and the difference you are making in the lives of students and their goals which will better our communities and world.

Again, thank you! And may God Bless you!

Grace and Peace,

Michelle D. McCarty



Dear Scholarship Committee:

I am a member of the Citizen Potawatomi Nation and I want to share my story. In the CPN paper we all see scholarships as they are awarded, but not often do we see or hear what the awards contribute to. What did the people who received the scholarships end up doing? Did they make a difference?

Right after Christmas in 1995 a car wreck changed my abilities. In the summer of 1996 I started Seminole State College as a single parent of two boys and had not been in school for 25 years. In the fall of 1996 I received a scholarship and housing assistance from the tribe. The funding from the tribe was very important in allowing me to graduate from Seminole with an Associate Degree in psychology. In 1998 I transferred to the School of Social Work at the University of Oklahoma, tribal scholarships and assistance continued. I graduated in December of 2000 with a BA in Social Work and I received my Master of Social Work degree in May of 2001.

The tribal scholarships and assistance were a major reason

I am now able to go back to work and support myself and my family, but we are not the only people that benefit from the CPN assistance that I received. I have attached a copy of the newspaper article that ran recently so the people that wonder if persons receiving assistance ever go on to do anything because of the help.

I worked as an intern for Independent Living Services for Youth my senior year and went to work for them part-time in June of 2000. I worked for the program as a graduate student and am still there on a part-time basis. I wanted the people of CPN to know what their investment helped me accomplish.

On behalf of myself, my boys, and the high school students I am allowed to work with, I thank the tribal members, staff and administration of the Citizen Potawatomi Nation for the assistance. Now you know where the money went.

Thank you,

Terry Lane



Dear Scholarship Committee,

I would like to thank you for the help you have given me in the past. Your funding helped me to finish my undergraduate degree in Environmental Engineering at Utah State University. At this point, I have decided to continue my education at San Diego State University. I have already taken two graduate courses at the University of Utah before moving here and have taken two semesters of graduate work here at San Diego State. I have one more year to finish my MS degree in Environmental Engineering.

Unfortunately, going to school as an out of state resident can be expensive. Scholarship money that I may be eligible for would be greatly appreciated. Again, I am very grateful for the past financial help that I received from you, all of the funds were used responsibly in order to finish my undergraduate education.

At present, I am working with other graduate students in the laboratory at San Diego State. We are studying the biodegradation of toxic chemicals. There are thousands of synthetic chemicals in our world today, and the need for remediation is critical.

Upon completion of my education, I plan to use my knowledge to better the world we live in, not only for humankind, but for all life. Our environment is in constant turmoil dealing with all of the pollution, toxic chemicals and ecological destruction. The need for Environmental Engineering is immense in order to remediate what damage has been caused. There is a poem I have seen that I always keep in mind: "We've stripped away your treasures to enjoy our pleasures. We've polluted your lungs with intoxication, blurred your vision with dense smog, and taken all you hold dear...and we still want more. Forgive us earthly mother." This statement encourages me in my work to give back to the earth.

Sincerely,

Alex Christensen

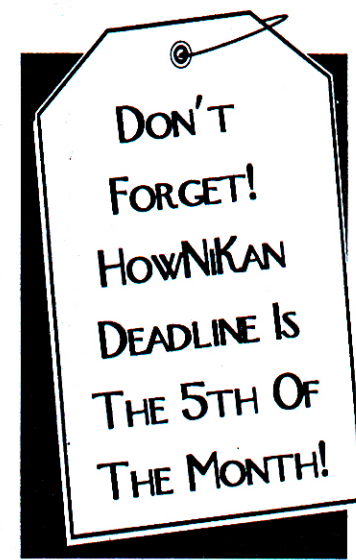


Dear Scholarship Committee,

I would like to thank you for the financial help you have given me and my sister, Vickie. We greatly appreciate it.

Sincerely,

Ricky Hancock





From The Chairman

By JOHN A. BARRETT

Bouzho Nicon (Hello, my friends),

Our hearts and prayers go out to the families of the more than 5000 people who were lost in the terrible tragedies in New York City, Washington D.C., and in Pennsylvania. May God heal their hearts and take their loved ones into His kingdom. Our resolve as Americans will be that their deaths will not lead to a loss of the freedoms we cherish as American citizens. We must also resolve that the institutions of our government should not be used for a vengeful and irrational response, but as a determined and relentless seeker of justice.

Please do not let this tragedy dim your striving for a better life for you and your families. We must guard against a "bunker mentality" — the desire to hole up and shut out the rest of the world. The very fabric of our society depends on each person's desire to work towards the common good of society. The terrorists will have won a victory if this tragedy causes us to hesitate to go about the regular conduct of our spiritual, family, social and business lives.

The trouble we are going through in our tribal government pales in the light of this tragedy and is better left for review at a later time.

Pray for our country.

Megwetch,

John Barrett

Inspector general warns senior citizens about scams

Senior citizens should exercise great caution when responding to solicitations promising additional Social Security benefit payments, according to an Office of the Inspector General (OIG) alert issued on July 6, entitled "Misleading Solicitations Target Senior Citizens." The alert was prompted by an OIG investigation, which confirmed that over 25,000 individuals, including residents of nearly every State, had been duped by anonymous hoax flyers promising extra Social Security benefit payments and/or slave reparations from the Government in exchange for supplying sensitive personal information. Many elderly Americans were so thoroughly confused by the flyers, that they sent copies of identity documents, including Social Security cards, drivers licenses, birth certificates, and military papers to the address listed on the flyers.

Two distinct flyers were widely distributed to the elderly and falsely promised recipients that they would receive money from the Government if they mailed their sensitive personal information to a post office box listed on the flyer. One flyer promised elderly recipients \$5,000 pursuant to a fictional "Slave Reparations Act." A second flyer promised an unwarranted lump sum payment or an increase in Social Security benefits. Both flyers required the recipient to provide highly sensitive personal information such as name, address, telephone, Social Security number, and date of birth, in order to receive the funds.

James G. Huse, Jr., Inspector General, Social Security Administration said, "By falsely promising additional Social Security payments, the anonymous mailings tricked seniors into parting with coveted personal information. Therefore, we are warning seniors to think twice before responding to any solicitations promising additional Social Security payments. Seniors with questions about Social Security should contact the Social Security Administration or their relevant member of Congress directly."

For further information, or a copy of the OIG Alert, contact OIG.

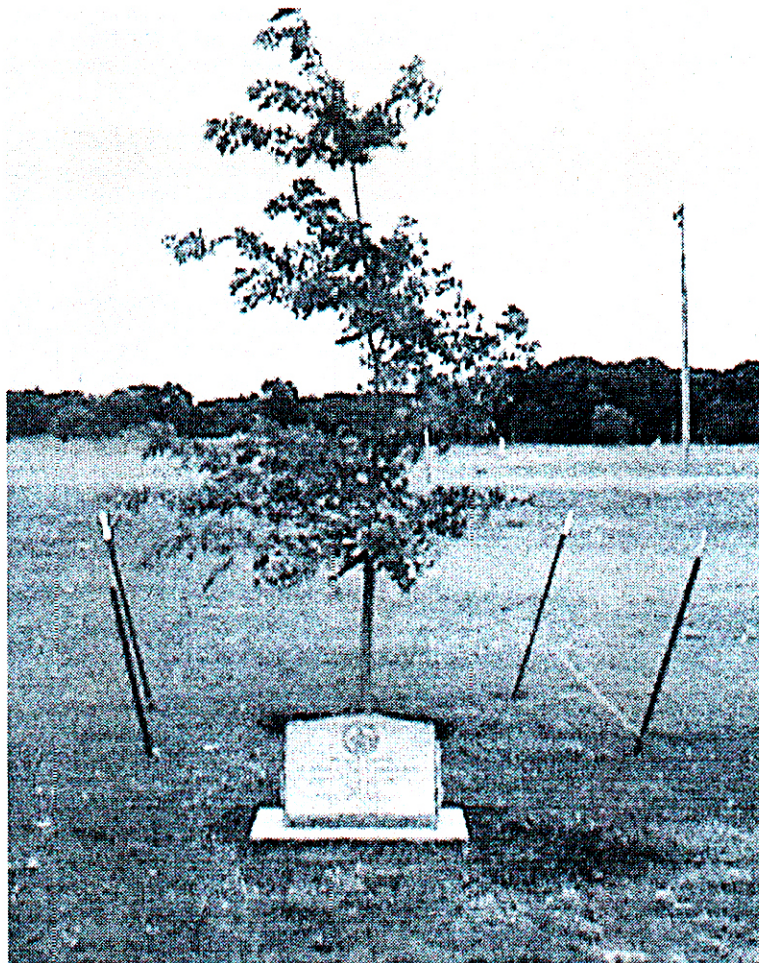


Worker Digs At Site Of Broxterman Memorial

Memorial erected for tribal member killed in Murrah Building bombing

Tribal member Paul Broxterman, 42, of Edmond, Oklahoma, was on his third day of work at the Alfred P. Murrah Federal Building in downtown Oklahoma City. The date was April 19, 1995; the event was one of the worst terrorist acts ever to have occurred in America. Paul was one of 169 people who lost their lives that day. A former undercover agent and special investigator with the Bureau of Indian Affairs and the IRA and a one-time private investigator, Paul was working as a criminal investigator, Office of Inspector General, HUD. Paul left behind a wife, Cammy, two sons, Aaron and Jared, daughter Casandra, his mother and dad, Peggy and David Broxterman, of Las Vegas, Nevada; two brothers, Mark and David and sister Janna; numerous other friends and relatives and over 25,000 tribal members.

The Citizen Potawatomi Nation planted a tree on April 19, 2000, in honor of Paul Broxterman. Shortly before the 2001 festival, a monument stone was placed in front of the tree. The Business Committee members would like to express their gratitude to tribal member **Peggy Lee and her husband Paul Lee**, owners of Bethel Monuments, Inc. of Shawnee, for donating the beautiful memorial stone. Mr. Lee completed the design work submitted by the Citizen Potawatomi Nation Engineering Department. The inscription on the stone reads:



The Memorial In Place

*Tree Planting Dedication
April 19, 2000*

*In Honor of Paul G. Broxterman
Born May 1, 1952*

*Member of the Citizen Potawatomi Nation
Roll No. 01144*

Died April 19, 1995

Our Darkest Hour Has Proved the Strength of our Spirit

TEXT OF THE CPN SUPREME COURT OPINION

IN THE SUPREME COURT CITIZEN POTAWATOMI NATION

Citizen Potawatomi Nation Business Committee, }

the governing body of the tribe, and John
BARRETT, Jr.; Linda CAPPS; Gene BRUNO,
Hilton MELOT, and Jerry P. MOTLEY, in their
Official capacities as Members of the Citizen
Potawatomi Nation Business Committee, }

Appellants, }

V. }

John A. BARRETT, Jr., Chairman, Citizen
Potawatomi Nation Business Committee, }

Appellee. }

No. App. 01-01

OPINION OF THE COURT

Appearances of Counsel:

Michael Minnis of Oklahoma City, Oklahoma for the Appellant. David McCullough, Michael McMahan, and Sandra Benischek with him on the briefs.

Charles H. Tripp, of Skiatook, Oklahoma for the Appellee.

MR. CHIEF JUSTICE RICE. On August 01, 2000, this action was filed in the District Court for the Citizen Potawatomi Nation by the Citizen Potawatomi Nation's Business Committee¹ praying a declaratory judgement to determine whether certain legislation of the Business Committee was constitutional. The Chairman counterclaimed.² The Chairman's counterclaim squarely presented the issue of whether Business Committee Resolution Pott. #01-01, July 12, 2000, was a constitutional exercise of the powers of the Business Committee, and the Chairman has an interest in the outcome of that claim for which interest judicial relief would be appropriate.³

The substantive portion of Business Committee Resolution Pott. #01 -01 of July 12, 2000, (hereafter Res. 01-01), states:

THEREFORE, BE IT RESOLVED, by the Business Committee of the Citizen Potawatomi Nation that the Business Committee does not authorize John A. Barrett, Jr., to assume the day-to-day responsibilities of the Tribal Administrator and the Secretary/Treasurer is hereby directed to cease paying an annual salary to John A. Barrett, Jr., and cease authorizing the personal use of a tribal vehicle effective July 13, 2000. However, nothing herein shall be construed to authorize the Secretary/Treasurer to withhold any payments to John A. Barrett, Jr., that might be due him by virtue of any office to which he might be elected, including insurance benefits, prepaid legal, per diem, or expenses to attend regional councils.

The District Court declared that Res. 01-01 was unconstitutional based upon the theory that that sentence of Section 2 of Article 6 of the Constitution which states: "The Chairman shall have general supervision of the affairs of the Council and of the Business Committee" had created a separation of powers between the "legislative branch," i.e. the Business Committee, and the "executive branch," i.e. the tribal officers (Chairman, Vice-Chairman, and Secretary/Treasurer.) Although not properly brought before the District Court by the pleadings⁴, the District Court also ruled that Business Committee Resolutions Pott. #01-45⁵, November 15, 2000, and Pott. #01-46⁶, November 15, 2000 were unconstitutional. In substance, the District Court held that Anglo-American notions of separation of powers, combined with the perceived separation of legislative and executive branches as mentioned above were incompatible with the challenged resolutions.

This Court has no doubt that the Potawatomi Constitution creates a "separation of powers" within the government of the Citizen Potawatomi Nation in the sense that the governmental powers of the Citizen Potawatomi Nation are divided between the different entities of the government which are created by the Constitution⁷. This Court does not, however, perceive that the Constitution creates an "executive branch" and "legislative branch" as described by the District Court. In the first case decided by this Court, we noted that "...the separation of powers expressed in the Constitution is not the same as that in Anglo-American law" *Kinslow v. Business Committee*, No. App. 87-01 (1988)(Slip Opinion at 4). Rather, the governmental powers of the Citizen Potawatomi Nation are divided between, and vested in, the Citizen Potawatomi Indian Council⁸, the three Executive Officers of the Nation⁹, the Business Committee¹⁰, the Courts¹¹, a Grievance Committee¹², and an Election Board¹³. In varying degrees, the power to legislate, and the power to execute laws which have been enacted, and other functions of the Nation are disbursed among the various Constitutional entities of the Nation.¹⁴

It is to the tension between the authority of the Chairman and the authority of the Business Committee concerning tribal employment that we now turn. The Constitutional authority of the Chairman is set out in Section 2 of Article 6 of the Constitution as follows:

It shall be the duty of the Chairman to preside at all meetings of the Council and the Business Committee and perform all duties appertaining to the office, and the Chairman shall see that the laws of the Tribe are faithfully

enforced. The Chairman shall have general supervision of the affairs of the Council and of the Business Committee.

On the other hand, the Constitutional authority of the Business Committee is set out in Section 2 of Article 7 of the Constitution as follows:

Subject to any limitations in this Constitution, and except for those powers expressly reserved to the Citizen Band Potawatomi Indian Council by this Constitution, or delegated to another tribal entity by this Constitution, the Business Committee is empowered to enact legislation, transact business, and otherwise speak or act on behalf of the Citizen Band Potawatomi Indian Tribe of Oklahoma¹⁵ in all matters on which the Tribe is empowered to act now or in the future....

The difficulty here arose when, by majority vote, the Business Committee purported to discharge the individual holding the Constitutional office of Chairman from holding the paid employee position of Tribal Administrator. The Chairman claims that his Constitutional authority to "have general supervision of the affairs of the Council and of the Business Committee" necessarily entails the authority to hire and retain himself as tribal administrator. On the other hand, the Business Committee claims that their joint authority to "speak or act on behalf of the Citizen Band Potawatomi Indian Tribe of Oklahoma in all matters on which the Tribe is empowered to act now or in the future"¹⁶ necessarily entails the authority to hire and fire tribal employees (including the tribal administrator.) We do not read one part of the Constitution as more important or authoritative than another part of the same Constitution, but rather must attempt to reconcile the various parts so that each may be given their true meaning. *Kinslow v. Business Committee*, No. App. 87-01 (1988)(Slip Op. at 9).¹⁷ The issue presented by this case then, is whether the Business Committee has Constitutional authority to terminate the tribal administrator, or whether such action may occur only through a decision of the Chairman.

In this regard, we do not write upon a clean slate. In *Sulcer v. Barrett*, No. 89-01 (1990), a former employee sued four members of the Business Committee individually¹⁸ charging that she was wrongfully discharged from her employment with the Nation. The four members of the Business Committee named as defendants¹⁹ interposed the defense of sovereign immunity claiming that, since they were acting pursuant to their Constitutional authority as the Business Committee, the employee could not maintain the suit.²⁰ In that case we held that the Business Committee had the Constitutional authority to discharge, or require the discharge, of an employee of the Nation, and that such action was not controlled by the personnel policies or other laws of the Nation then in effect. The Court stated:

The threshold question is whether the trial court erred in dismissing this suit because the act complained of was done by Citizen Band Potawatomi Indian Tribe of Oklahoma Business Committee members. If the act was done by the Business Committee within their authority the Court has no jurisdiction.

Appellant's argument that she was fired by the named individuals and not the Business Committee is not logical and not correct. Neither these defendants nor any other group of individuals can hire or fire tribal employees. As individuals each of them would have no more authority to terminate her employment than the colloquial "person on the street." Tribal employment is determined by individuals acting on behalf of the tribe either as elected officials or staff members. The defendants must have been sued in their capacity as elected officials, because they have no power to determine her employment except as Business Committee members.

Sulcer v. Barrett, No. 89-01 (1990)(Slip Op. at 4). In substance, then, we held that the Business Committee could act, i.e. fire or cause the firing of a tribal employee.

The position of "tribal administrator"²¹ is not an office created by the Constitution of the Citizen Potawatomi Nation, and therefore must exist, if at all, by virtue of properly enacted legislation creating that position, providing for the duties of that position, and placing any necessary limitations upon that position within the bounds of the Constitution. In short, the "tribal administrator" is but an employee of the Nation. As such, the salary, terms of employment, and the like for that position are set by proper legislation, or by duly constituted authorities of the Nation acting pursuant to proper legislation.²² The Chairman, then, would have a duty to see that such legislation is faithfully enforced and to provide supervision thereof, Const. Article 6, Section 2, yet the outer parameters of that position remain legislative determinations. In short, the duty of the Chairman to enforce legislatively created parameters respecting tribal employees is coexistent with his duty to supervise the affairs of the Council and the Business Committee.²³ We see no reason to now depart from the views we expressed in *Sulcer*. We therefore confirm our prior decision that it is within the competence of the Business Committee to discharge a tribal employee, including the tribal administrator, in the absence of legislation which provides for a different rule.

The District Court, however, appeared to be concerned that the action of the Business Committee was directed toward a derogation of the Constitutional powers of the Chairman. We note that the Office of the Chairman is a Constitutional office which has certain of its powers and functions defined by the Constitution. Specifically, the Constitution vests in the Chairman the duties to:

1. preside at all meetings of the Council,

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2. preside at all meetings of the Business Committee,
3. perform all duties appertaining to the office,
4. see that the laws of the Tribe are faithfully enforced,
5. have general supervision of the affairs of the Council, and
6. have general supervision of the affairs of the Business Committee.²⁴

While tribal legislation may authorize the Chairman to undertake additional specific or general tasks as part of his general supervision, provide for specific "duties appertaining to the office of Chairman," or specify what the "affairs of the Council and of the Business Committee" are and the like, that legislation may not divest the Chairman of his Constitutional role in the government of the Citizen Potawatomi Nation, any more than legislation could divest the Vice-Chairman, Secretary/Treasurer, Grievance Committee, Election Board, or other tribal Constitutional entities of their proper role. To acknowledge this truth, however, is not to say that the Chairman is granted the unilateral power of the purse, or the unilateral power to create or fill employee positions within the administration except pursuant to properly enacted legislation. To do so would run afoul of other Constitutional provisions.

A portion of the District Court's concern came from the result that the discharge of the tribal administrator effectively ended the salary and certain benefits which Appellee was receiving in his role as tribal administrator.²⁵ Certainly, the lack of salary will detrimentally effect the ability of the Chairman to provide the leadership and attention to the tribal business which the Potawatomi people have come to expect. There does not exist, however, within the Constitution of the Citizen Potawatomi Nation any requirement that any official of the Nation receive payment for their service. Likewise, there is no prohibition upon payment for such services. We believe that this leaves the issue of payment to tribal officials to be a matter best left to the political process, and not the mandate of the Courts.

There are several mechanisms available to address this issue in the political realm. As in other governments in which the powers of government are separated, the Chairman is not without means to change the result of Resolution #01-01 politically even without making such resolution an issue at election time. The expenditure of certain funds and their earnings are controlled by the Potawatomi Indian Council pursuant to Section 3(a) of Article 5 of the Constitution, and the Chairman has the authority to call a special meeting of the Council at his discretion to consider an appropriation of such funds to pay a salary and benefits to the Chairman and other officials of the Nation.²⁶ Constitution, Article 13, Section 3. Further, the people have the authority to overrule the substance of this Business Committee action via an initiative petition pursuant to Section 1 of Article 10 of the Constitution either by providing a salary and employee benefits to the Chairman or other tribal officials, or by specifically delegating authority to the Chairman to unilaterally appoint the tribal administrator (or tribal employees generally), and a law enacted pursuant thereto binds the Business Committee until the law expires on its own terms or until changed by the voters at a subsequent election. Finally, Section 2 of Article 10 provides for a referendum to challenge legislation such as Resolution #01-01, thereby giving the people, in effect, a veto power over the actions of the Business Committee.

Finally, we believe that there is another consideration which strongly cautions against adopting a Constitutional rule which would authorize the Chairman to unilaterally create positions within the tribal administration, appoint or discharge persons in those positions at his sole discretion, and unilaterally set the salaries for those positions absent a clear Constitutional mandate for such a rule. During periods in which the Potawatomi people are blessed with an honorable, respected, and successful Chairman who carries the clear mandate of the people, such a rule might not be objectionable to a majority of the people. However, as a general principal, that idea must be considered as to its affect should a future Chairman lose the trust and respect of the people, for once this Court declares that the Constitution mandates a result, that result will govern future decisions regardless of the parties before the Court.²⁷

As all rational people know, wolves may come in sheep's clothing, and evil (or simple incompetence) may come in the guise of an angel of light. Likewise, the greatest amongst us may have no form or comeliness by which they may be known to the people before there is an opportunity to assess the character of their conduct as they make the difficult decisions which daily effect the government of the Nation. While the political institutions of the Nation may adjust the specific authorities granted to various tribal officers by legislation within the Constitutional parameters to account for changing circumstances, a Constitutional rule such as that proposed here would prevent such adjustments. What then should the Constitution authorize as an unalterable mandate of power when a future Chairman has earned the distrust and reprobation of the people?

It is sufficient here to suggest that a significant list of abuses of the power of office could be suggested which might fall within the terms of the proposed rule. What is important to the decision before us is that if we adopted the rule proposed here, such actions would be within the Constitutional authority of those tribal officials, and would therefore not constitute misconduct in office.²⁸ Not only would such conduct not support a recall or removal action, but with such a rule no other entity within the government of the Nation would be able to temper such conduct by exerting its own authority. We simply do not perceive that such a result is mandated by the Constitution. Rather we agree with the District Court that often times the Constitution and laws "get in the way" of that which is expedient, and make the process of achieving efficiency difficult. The Constitution, insofar as the Officers and Business Committee are involved, is constructed to suggest the desirability of achieving consensus. Failing consensus, the minority may appeal to the people through several available political processes of the Nation for vindication.

In short, it is not the role of the Courts to determine whether particular legislation or actions are wise, but to determine whether they are Constitutional and otherwise lawful.²⁹ We view the issues of whether, and to what extent, tribal officials should be paid for their services, whether they should be able to hold paid employee positions within the tribal government during their tenure in office, and the establishment of a proper process to create employee positions, hire and discharge employees, and the setting of salaries and benefits for employee positions to be issues best left to proper legislative determination³⁰ through the available political processes in the absence of Constitutional directives to the contrary.

Since Resolution #01-01 on its face purports to do no more than discharge the tribal administrator, the judgement of the District Court holding that Resolution unconstitutional is REVERSED. Since Resolutions #01-45 and #01-46 were not properly before the District Court for decision, the judgment of the District Court with respect to those resolutions of the Business Committee is VACATED, and the cause REMANDED to the District Court for further proceedings not inconsistent with this opinion.

IT IS SO ORDERED.

CARTER, J. CONCURRING. In today's decision the Court holds that Business Committee Resolution Pott. #01-01 is constitutional insofar as it does not impermissibly interfere with the Constitutional authority and duties of the Chairman or impair the Chairman's ability to properly exercise that authority or perform those duties. Nothing in our decision diminishes the duties and responsibilities of the Chairman as declared in the Constitution or as may be hereafter properly delegated to the Chairman.

It is not the purpose or responsibility of the Court to render advisory opinions. In this case we must first decide if this controversy or dispute is an "appropriate case" for judicial review in order to declare the constitutionality of a Business Committee legislative enactment. The Court must address the legal interests of the parties and decide the genuine legal issues properly presented before it; the mere presence of a controversy, dispute, disagreement, or difference of opinion on any matter does not in itself create an "appropriate case" for judicial review. The concern this Court had on this threshold issue cannot be overstated.

Moreover, the Court was first required to determine if the Court, under the Constitution and laws of the Citizen Potawatomi Nation, in review the instant case, was acting properly within its limited authority. This requirement is not limited to the Court: the Business Committee must properly act within its limited authority and the Chairman must properly act within the Chairman's limited authority. I concur in the result and in the reasoning contained in the text of the Court's decision.

JUSTICES WAHPEPAH, CARTER, COFFEY, AND BIGLER, Concur in the Opinion of the Court.

JUSTICE CARTER concurred with a separate opinion.

MR. JUSTICE HENSON and MR. JUSTICE LAMIRAND, did not participate in the argument or decision in this case.

Attest- True Copy

[SEAL]

Vicki Lofton, Clerk
Supreme Court of the
Citizen, Potawatomi Nation

JUDGMENT ENTERED IN THE DOCKET ON: August 22, 2001

We concur in the opinion of the Court, and it is our further order that the Clerk shall issue the judgement, and the Chief Justice the formal mandate of this Court as provided by law in accordance with this Opinion.

Mr. Chief Justice Rice
Mr. Justice Wahpepah
Mr. Justice Carter
Mr. Justice Coffey
Mr. Justice Bigler

¹ We note that the individual members of the Business Committee were also named as plaintiffs in their official capacities. It was not necessary so to do, as it does not appear from the record that they have any official standing in this matter as plead, *see, Sulcer v. Barrett*, No. 89-01 (1990)(Slip Opinion at 3). Therefore, we grant Vice-Chairman Linda Capps' "Petition for Removal as Plaintiff" filed on the date of the argument in this cause, yet note that it is without legal effect upon this appeal as only a majority vote of the Business Committee could effect the position of Appellant, and that the Business Committee may sue *suo nomine*.

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² Section 3 of Article 11 of the Constitution states that the Tribal Courts "shall have the power of judicial review, in appropriate cases, in order to declare that legislative enactments of the Business Committee or the Council, are unconstitutional. . . ." We were concerned that the Business Committee's Complaint may not have presented an "appropriate case" for the exercise of the Court's judicial power as more than a general interest in the constitutionality of tribal legislation must be required. However, we are convinced that the filing of the counterclaim by the Chairman does present a justiciable controversy. That being said, it is not necessary in this opinion to further consider the outer perimeters of the judicial powers of the Courts.

³ Unlike *Sulcer v. Barrett*, *supra* note 1, there is no issue of sovereign immunity here. The Business Committee clearly authorized this action, Resolution Pott. #01-12, July 26, 2000, and in so doing waived whatever sovereign immunity might have attached to the Counterclaim insofar as it requested the opposite relief (a declaration that the statute was unconstitutional) from the relief requested by the Business Committee (a declaration that the statute was constitutional).

⁴ These two resolutions were not plead in the original pleadings, nor were the pleadings amended to include them, nor was relief formally sought based upon their enactment. These matters are important, not as a mere technicality, but because the records of this Court should clearly indicate to future generations the substance of the issues and matters decided, and how they were brought before the Court. As Courts of record, our decisions will be available for study by future generations of the Citizen Potawatomi People and their Courts. They should not be left to wonder why the Court(s) decided to enter particular judgments on certain matters, but rather those judgments should be predicated upon a clear record by which those claims are properly brought before the Courts.

⁵ In pertinent part, this Resolution stated: "that the Business Committee hereby directs that all payroll checks shall be endorsed by a member of the Business Committee; the Chairman, Vice-Chairman, Secretary-Treasurer or a Business Committeeman. The Business Committee members shall complete the necessary bank signature cards and other documents necessary to effect this direction." We note that the second paragraph of Section 4 of Article 6 of the Constitution states in pertinent part that: "The Secretary/Treasurer shall receive and keep all moneys of the Council and keep an accurate account of receipts and disbursements. The Secretary/Treasurer shall keep all tribal moneys entrusted to his care in one or more tribal accounts as may be provided by legislation of the Business Committee, and all disbursements therefrom should be by check." The interpretation of that provision is not now properly before us.

⁶ In pertinent part, Res. #01-46 states: "that hereafter no employee designated as a director or compensated with an annual salary of \$30,000 or more may be hired or terminated except by approval of the Business Committee. In addition, all salary increases for these employees must be presented to the Business Committee for approval.

⁷ We also have no doubt that, as in the American system of government, there exists within the Constitutional framework a certain tension between the authorities granted to various departments and officers of the government.

⁸ Constitution, Article 5. This Article creates and empowers the Citizen Potawatomi Indian Council consisting of all citizens of the Nation who are 18 years of age or older who have not been adjudged incompetent by a court of competent jurisdiction.

⁹ Constitution, Article 6. This Article creates and empowers the offices of Chairman, Vice-Chairman, and Secretary/Treasurer.

¹⁰ Constitution, Article 7. This Articles creates and empowers the Business Committee consisting of the three Executive Officers as provided in Article 6, and two Councilmen.

¹¹ Constitution, Article 11. This Article creates and empowers the Supreme Court consisting of seven Justices and such inferior courts as may be established by law.

¹² Constitution, Article 8, Section 1 (a). This Articles creates and empowers a Grievance Committee consisting of three members of the Citizen Potawatomi Indian Council.

¹³ Constitution, Article 12. This Article requires the creation of an Election Board, and sets out its minimum responsibilities.

¹⁴ We note, for instance, that the people, the Council, and the Business Committee each are vested with portions of the power to legislate. Furthermore, the Officers, the Grievance Committee, the Election Board, the Business Committee, and the Council all appear to have certain aspects of the power to act upon (i.e. execute) laws which may be properly enacted.

¹⁵ Although we quote the original language of the Constitution in which the name of this Nation was the "Citizen Band Potawatomi Indian Tribe of Oklahoma" in much of this opinion, we note that the name of this Nation has been changed to the "Citizen Potawatomi Nation" by amendment ratified on February 29, 1996. Hereafter, quotes by the Court to the Constitution may substitute the current official Tribal name without referencing that amendatory process.

¹⁶ Emphasis added.

¹⁷ It is, perhaps, proper to remind the parties of what we said in *Kinslow v. Business Committee*, No. App. 87-01 (1988)(Slip Op. at 2):

The people have vested in this Court the judicial power of the [Citizen Potawatomi Nation], and given their Courts broad jurisdictional

authority including powers of judicial review. We are keenly aware of the trust reposed by the people in this Court and the responsibility which necessarily is attached to that trust. We are further cognizant of the fact that we are the Court of last resort for the [Citizen Potawatomi Nation.] However, we can neither choose to act on a case not properly before us, nor refuse to act when a case is properly before us and consideration of a properly preserved issue is necessary for our decision. To engage in either action would contradict the Constitution we have sworn to uphold. The issues may be difficult, and the case controversial. However, as judicial officers of the government of the [Citizen Potawatomi Nation], our duty is to interpret, and conscientiously apply the Constitution and laws of the Tribe, regardless of the parties before us, in all cases within our jurisdiction. (Citations omitted.)

¹⁸ The Defendants in that case included the current Chairman who was also Chairman at that time.

¹⁹ Dr. Francis Levier, a member of the Business Committee was also serving as the Tribal Administrator. He was not the Chairman of the Nation, nor was he named as a defendant in the lawsuit.

²⁰ There the Business Committee did not fire Appellant directly, but directed the tribal administrator to terminate her employment by motion adopted at a meeting of the Business Committee. *Id.* Slip Op. at 8 (Rice, C.J., concurring.)

²¹ While it is common knowledge that the administration of the Citizen Potawatomi Nation has for some years been under the direction of a staff person known as the tribal administrator, that position has not always been held by the Chairman, nor has the duties of that office remained constant.

²² Article 18 of the Constitution specifies the proper form for certain legislation of the Nation.

²³ We also point out that Article 1, Section 1 of the By-laws to the Constitution ratified on December 12, 1938, contained the following language:

The Chairman shall preside at all meetings of the Council and of the Business Committee. He shall have general supervision of the affairs of the Council and of the Business Committee and shall perform all duties appertaining to the office of chairman.

While this language was revised in the Constitution ratified May 29, 1985 to read:

It shall be the duty of the Chairman to preside at all meetings of the Council and the Business Committee and perform all duties appertaining to the office, and the Chairman shall see that the laws of the Tribe are faithfully enforced. The Chairman shall have general supervision of the affairs of the Council and of the Business Committee.

we do not interpret the rewording of the "general supervision" clause as changing the substance of that provision to create a separate "executive branch" as interpreted by the Court below.

²⁴ Constitution, Article 6, Section 2.

²⁵ Res. #01-01 contained language which expressly preserved benefits that the Appellee was receiving as Chairman. At oral argument, it was stated that the elected officers of the Nation and the Councilmen had never been paid a salary due to their elected positions. As we have indicated, the wisdom of this policy, or whether it should be continued given the tremendous growth in the Nation's activities and responsibilities is not for the Courts to determine. We would note that for many years some member(s) of the Business Committee have been needed full time at the tribal offices either in the role of tribal administrator or otherwise.

²⁶ We trust that the Potawatomi people will understand that to attain good government requires good people in leadership positions, and that those leaders must also feed their families and take care of their financial responsibilities.

²⁷ As we noted in *Kinslow*, *supra*, we are constitutionally the Court of last resort within the government of the Citizen Potawatomi Nation. The only two ways in which Constitutional rules announced by this Court can be legitimately changed are via an amendment to the Constitution, or by convincing the Court that its considered judgement upon an issue was wrong and should be changed. We are realist enough to recognize that, given human nature, it will often be easier to accomplish the first rather than the latter method of legitimately changing a Constitutional rule announced by the Court.

²⁸ For instance, in *Kinslow*, *supra*, we affirmed the removal of a Vice-Chairman from office for wrongfully attempting to take tribal property for personal gain, and attempting to cover-up such actions by intimidating an employee of the Nation.

²⁹ As I stated in *Sulcer*, *supra* a 10: "I do not believe that it is the function of this Court to second guess the motives of elected Tribal officials, but to determine whether the actions taken by them are within the law. Questioning the motives and politics of the Business Committee is a function of the electorate."

³⁰ Such legislation cannot, of course, violate the Constitution. *See, e.g.*, Constitution at Article 16.

MEMORANDUM

To: All Tribal Employees
From: John Barrett, Tribal Chairman

Many of you have expressed your concerns about the effect of today's Tribal Supreme Court ruling about Resolution 01-01. Please do not let this affect your work or confidence in the continued smooth operation of the tribal government. I am still supervising the day-to-day business of the tribe. I simply will not get paid to do my job. The attempt by Gene Bruno, Hilton Melot, and J.P. Motley to displace me from my management position during the year I was running for re-election was not successful. Their support of my opponent in the Tribal Chairman's election resulted in my winning by over 70% of the vote. Please recall that the last four years under my direct supervision have been the most successful and progressive in our tribal history.

Unfortunately, the lawsuit filed last year to try to get the Tribal Court to define the authority of the Business Committee versus the authority of the Tribal Chairman did not do so. After the Supreme Court decision filed today, we are still facing many questions. The other two Resolutions the Business Committee passed to try to limit my ability to supervise the tribes, business and government activities, 01-45 and 01-46, have been sent back to the District Court for another hearing.

As all of you know, I have never called my authority and management activity the "Tribal Administrator," which the Court has now determined is a hired position created, somehow, by the Business Committee. Since I assumed full time supervision of the affairs of the Business Committee and the General Council, i.e. tribal operations, on October 6, 1996, I have always acted as the Tribal Chairman under the authority delegated to me under Article 6, Section 2 of the Tribal Constitution. The decision today not only did not change that, it stated emphatically that the Business Committee cannot enact legislation that denies any authority delegated to me under the Constitution. Correspondingly, I cannot take action that usurps the Business Committee's Constitutional authority.

The way I read the Supreme Court decision, I am prohibited from "creating any new positions in the tribe," setting salaries for that position, and hiring or firing someone for that newly created position. I never had that authority anyway, and never claimed it — except for the job of "Tribal Administrator" which I maintained would conflict with my delegated authority as Chairman unless I personally superceded the position or named the person to fill that position and delegated my authority to them. The Court also ruled that the vote of the people to change the structure of the Constitution in 1985 to create separate Articles for the Executive, Legislative, and Judicial branches of the tribal government was not sufficient to create separate branches of the tribal government. We will have to remedy this urgent problem by amending the Constitution in the near future.

The Business Committee has adopted Resolution 01-46 that purports to deny me the ability to hire and fire directors and people who make over \$30,000. The Court vacated this ruling and sent it back to the District Court. This will be the subject of future hearings in Tribal Court since I believe it to be unconstitutional and denies the Chairman's authority to "supervise" given to him under Article 6, Sec. 2 of the Constitution. As for my ability to hire and fire present tribal employees that are not directors or make more than \$30,000 per year, I still have unquestioned authority to do so.

Supervision cannot take place without the authority to hire and fire. Since three of the Business Committee members, Melot, Bruno, and Motley, opposed me in the election and lost, they now want to name managers of tribal programs who would not be required to do what the Chairman directed them to do as their supervisor. The result would be chaos and harmful to the tribe. I will oppose this Resolution in the Tribal Courts.

None of the activities I have described will affect your job as it has been over the last sixteen years. You are all a part of the best group of employees of any tribe in the United States. Our progress proves that. The people of this tribe spoke at the polls about who and how they wanted this tribe to operate. Rest easy. Be cool.



Junior Golf Participants Ready To Compete At FireLake

Tribal golf couse hosts tourney

On July 26, 2001, FireLake Golf Course hosted the Chickasaw Junior Golf Tournament, in which 45 Native American youth from 15 different tribes participated. There were 5 age groups ranging from 10 and under to 17 and 18 year olds.

Mike Wood, FireLake Golf Course Pro, was named to the board of directors of the Native American Junior Golf Association, which took part in making the Chickasaw Junior Golf Tournament possible. The goal of the association is to support and further the growth of junior golf for Native American youth.

Zack Wood, descendent of the Vieux family, was the only Citizen Potawatomi

tribal member to participate in the tournament. This was Zack's first golf tournament and he played well enough to place 3rd in the 10 and under age group.

Next year's Native American Junior Golf Clinic will be held at FireLake Golf Course. The Native American Junior Golf Association works with and is supported by the United States Golf Association (USGA), Professional Golfers of America (PGA) and the Native American Sports Council.

For more information about the Native American Junior Golf Association, contact Mike Wood at 405-275-4471.

Never too young to golf

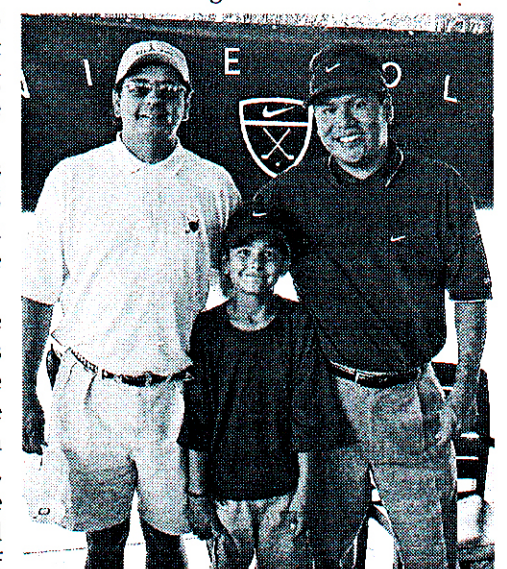
(Meeker, OK) — Zack Wood, son of Mike and Dee Wood of Meeker and Kellie Novotny of Bethany, OK, attended the 2001 U.S. Open Jr. Golf Day Monday, June 11, 2001, at Southern Hills Country Club in Tulsa, OK.

Zack participated in the Golf Channels "Drive, Chip and Putt Junior Golf Skills Competitions," where his team won first place in the chipping and putting competitions and second place in the driving competition.

The highlight of Zack's day was watching the first day of practice rounds for the U.S. Open and getting to "high five" Tiger Woods. Zack also had the opportunity to meet Notah Begay III.

On June 18-20, 2001, Zack attended the Native American Junior Golf Association's camp at the University of Oklahoma where his dad, Mike Wood, Golf Pro at FireLake Golf Course in Shawnee, OK, and Notah Begay III helped instruct. Zack's dad, Mike, is on the board of directors for the Native American Junior Golf Association and supports the association's goal of supporting and furthering the growth of junior golf for Native American youth.

Zack has been fortunate in that he has had the opportunity to go to work with his dad at FireLake Golf Course, which has given him an advantage when it comes to learning the game. His dad says, "Zack is just a natural — I don't have to show him much about the game."



Mike And Zack Wood
Meet Notah Begay

REGIONAL REPORTS

Colorado

Dear All,

Wow, here we are July already! Well I finally made it to, not only my first Festival, but also my first trip to Oklahoma! It was great fun and full of learning. It was great to meet all of the other Regional Directors – yes, we were all there! As of 2 a.m. July 1 (yes, they counted ballots well into the early morning hours) tribal members had spoken and after the past year we have all had I truly hope that healing begins and we can all get on with the business at hand.

I would like to take the time to acknowledge the fact that over the past year I received numerous calls regarding the political climate and decided that I would answer none of them. This was primarily due to feeling that it would serve no good purpose and that if anyone really wanted to understand what was happening, then they should go directly to the source and ask their questions of the specific person they needed the

information from. Answers I could not give anyone. I hope you all understand.

So, again, let us all begin allowing the healing to take place and join together again as a whole – a whole tribal family!

UPDATE

I'll bet at least some of you were wondering if there really was a Region 6 Director, huh? Well, yes! I am alive and kicking!

Before I begin with the update of my past year's activities PLEASE be sure to mark your calendars for The Region 6 Council Meeting. We are looking at places in Colorado Springs this year to accommodate those of you from the southern side of the Region and with the backdrop of Pike's Peak you can't go wrong! Once we have specifics the information will be mailed out.

NOTICE: If you have any contact changes, please let myself and Tribal Rolls know so that we can make sure you receive Regional Council Meeting information, the

newspaper, etc. Also, if you have email addresses please include these if you don't mind being sent information via email.

Just what have I been doing? Well, although one might think that you set up an office only once. Not true. Setting up this regional office has definitely been, and still is, a work in progress! Since I had to start from scratch and had no background information on the past office(s) I kept telling myself that I had before me a new canvas that I could put anything on and make my own! Ha ha! Although in theory you try to stay positive, frustration rears its ugly head over and over. I am still struggling with Internet problems and I'm sure many of you who have called have noticed the "static" on the phone. Periodically it does clear, but I have service calls in for that too!

My main project has been in collecting and assembling a "catalogue" of information. The first time anyone called me for

information, what I noticed first was that I could not answer the question. I had no resources other than the booklet from the Tribal Headquarters and could only tell the callers to call Shawnee.

Since this wasn't good enough I began researching. What I have at this point is information, phone numbers, addresses, and actual names in some cases from the following states: Colorado, part of Kansas, Wyoming, and part of Utah. I am still working on getting information from Montana, Nebraska, the rest of Utah and Kansas.

This catalogue also contains information on Pow Wows, Gatherings, Festivals, Native owned business, trading posts, and more.

I realize that maintaining this information means making sure that updates are made periodically; however, this is a good start and I will bring it to the Regional Council meeting for you all to look through.

I met several people at Festival who were exceptionally helpful and others that will be contacts for many of the answers to the questions you ask me. Meeting these people was a God send. I am attempting to get their names written down as well as their contact information to pass along to those of you who are looking for specific information. This will all be added to the catalogue.

I'm sure I am beginning to ramble and I know I am forgetting to tell you something. But so as not to continue this rambling I will close. However, I would like to profusely thank everyone at the Tribal Headquarters who helped me during Festival. I am so grateful for your time and assistance. You helped make my trip and Festival a wonderful experience for me. Hope to see you all next year, if not sooner. And I hope to see everyone in Region 6 at the Regional Council Meeting.

Cheryl DeGraff

North Texas

Potawatomi Heritage Festival 2001 has come and gone for another year. The food was good, the fellowship was fun and all in all, it was a rewarding experience. The election was held with the polls closing at 2:00 p.m. and General Council was convened at 3:00 p.m. and adjourned at 4:00 p.m. Our chairman, John Barrett, was re-elected by a large majority. I realize that was not as those who opposed him wished, but I hope we will be able to get past this and continue to build our tribe. My thoughts and prayers are with those who lost and to those who won and will work hard to serve us.

The people who participated in the competitions had a good time. I had a little problem convincing my husband that it was my meeting. He was on a softball team composed of young people, medium aged people and one older white man. They won second place. The volleyball team he was on

also won second place. My husband had such a good time that I threatened to not take him back, but he told me had already been asked to be on the volleyball team next year. The best part was the people we met and the things we learned about our Potawatomi family. The prize money was nice, too. And second place isn't so bad. Someone once told me that coming in second was not so bad, as long as it was someone else which philosophy my husband seems to share.

A new bridge connected the Pow Wow Arena and campground with the FireLake Grocery Store. As we were admiring the bridge, one of the staff stopped and told us they had found the bridge on our land, restored and rebuilt it in the present location. On our walk to the field to see the Archery Tournament, we discovered another bridge. We have driven over it many times, but walking across it gave us the time to appreciate it. It had

rained and the creek had running water turned red from the current. Water in the creek was novel as opposed to the Red River we crossed. The thunderstorm early Saturday morning was awesome and we arrived back in Texas to find that it had rained here, so the plants had not died during our absence.

My husband and I are looking forward to the trip to Canada and another experience to remind us of our heritage and culture. In case any of you have been trying to reach me by email, I have not had working email since May. So just give me a call at 800-742-3075 if you need to reach me. Thanks to those of you who took the time to look me up and say hello and those of you who missed the Festival need to make plans to be there next year. In the meantime, you can make plans to attend your yearly regional meeting. Location and date will be announced later.

Marj Hobby

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One For The Record Books

A Tecumseh hunter recently got into the record books in a big way with a pronghorned antelope he shot on a New Mexico hunt. Jerry Yates, a member of the Citizen Potawatomi Nation and electrical superintendent for the City of Tecumseh, brought down the 80.5 point antelope with a bow and arrow after spotting it a mile and a half away. Yates said he was unaware of the significance of his shot until his outfitter told him it was "an awesome shot" and reminded him that the world record for an antelope is 94 points. The minimum for the record book is 67 points, Yates said, so his animal will be "in the top five in New Mexico for archery." Yates was hunting in the Capulin, N.M., area with an outfitter from Albuquerque on a leased ranch. It was his first antelope hunt. The animal's horns are 16 inches long and six inches at the base, he said.

Herbal Heritage

Submitted by Marlene Hogan and Carol Williams, daughters of Mrs. Albert Hefner and descendants of Josette Schwartz. Information in this column is not intended to be used as a substitute for current medical treatments. Before using any types of medication read the warnings and talk to your health care provider. If you become ill or are severely injured, seek immediate medical attention.

White Prairie Clover, or *Dalea Candida*, is a member of the Bean family. *Dalea*, the genus identification, is named in honor of Samuel Dale, an English botanist (1659-1739). The species name, *candida*, means "of dazzling white", referring to the flower color. Until recently, these plants were classified in the genus *Petalostemon*.

Being a perennial herb, White Prairie Clover is found throughout the midwest, growing one to three feet tall, with long, thick, tap roots. It has sparse oblong boat shaped leaves. Tiny white flowers bloom on oval to cylindrical spikes at the end of the stems from May to September. In the spring, they pop up with the prairie grasses on the prairies, and also habitat rocky open woods.

Prairie Clovers were actually minor food sources, but an "ancient" food for the Prairie Indians. Their raw roots were both chewed, as we chew gum, and eaten because of their sweet taste. They pulverized the tap roots (that amazingly extend 3 to 6 feet downward into the earth) and steeped them in boiling water to make a fine-tasting tea. Tea was also made from the leaves, either fresh or dried.

The tea, made either from the leaves or roots, was drank by the Plains Indians not only for its pleasant taste, but also as a health tonic. The primary reason for drinking it was to prevent and ward off disease. More specific purposes were to aid in digestion and relieve abdominal pain, and to aid in healing fresh wounds by applying a poultice of bruised leaves on the wound. The Omaha and Ponca call prairie clover "makanskithe", or "sweet medicine". The Pawnee's word for it is "kahts-pidipatski", meaning "small medicine".

The Pawnee have another name for it—"kipiliwus hawastat"—pr "broomweed" because they used the tough stems as a broom to sweep their lodges. Also the stems of the plants were used to make shafts for small arrows.

All the prairie clovers, including this white variety, are attractive ornamental plants of the prairie that are important for its ecological balance.

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Heritage kit distributed by United Methodist Church

NASHVILLE, Tenn. (UMNS) -

Resources that debunk myths and stereotypes of Native Americans and give guidance for teaching Vacation Bible School to native children are being released in a heritage kit and sent to all annual conferences and resource centers of the United Methodist Church.

The Native American Communication Office, a unit of United Methodist Communications, has produced a "Sharing the Heritage Kit" that contains facts about native people, booklets, cassettes, videos, computer diskettes and other information and materials.

Dancing With a Brave Spirit: Telling the Truth About Native America, is one of the kit's offerings. This revised publication seeks to clarify many of the widely held myths and beliefs about native people.

Dancing was first produced in 1999 as a response by native organizations and tribes to the amount of misinformation surrounding native people, said Ray Buckley, director of the Native American Communications Office.

The first booklet was distributed to members of the U.S. Congress, tribal offices, several denominations, delegates to the 2000 United Methodist General Conference and to the press.

Due to the acclaim and enthusiastic endorsement of the first booklet and because of a need for updated information, an expanded second edition for 2001-2004 has been released. The revision includes more coverage of Alaska natives, the unique status of certain tribes, more cultural information and a more comprehensive synopsis of issues affecting native people.

Buckley said Native America is ever changing and those changes bring about new perceptions about native people, some positive and some negative.

The revised *Dancing* booklet includes three sections: questions and answers about native people; native people and United Methodism; and a directory of organizations working with native people.

Another resource in the kit, "Seeing Through Native Eyes," was developed to provide culturally relevant tools for Vacation Bible School among Indian people. The communications office along with the Native American Comprehensive Plan brought together a team of native educators in 1999 and again in 2000 to share ideas and concerns regarding the teaching of native children.

According to Buckley, the critical conclusion from both meetings was that native people learn best when culturally relevant tools are used. Cultural considerations among American Indians are currently employed in public schools and colleges but have never been fully addressed in the church, he said.

Native children growing up on reservations or those being raised in communities where tribal traditions are still strong often have very different concepts of appropriateness and etiquette, said Buckley, who is a member of the

Tlingit/Lakota tribes.

As an example, he noted that native children will not raise their hands to respond to a question even if they know the answer. "Educators who are not familiar with native traditions will assume that these children do not work well in social settings and place them in remedial education," he said. "The result is that many of our rural children drop out of school by fifth grade and those that do stay usually give up."

Teaching native children in mainstream education without identifying cultural differences has been ineffective, he said. "It is like serving soup with a slotted spoon. It just doesn't work. We have never developed a method of teaching Christian education that will help native people."

"Seeing Through Native Eyes," which has been sent to all native congregations in the denomination, is a study of native cultures and includes illustrations designed to strengthen and illustrate Christian beliefs.

"We have deliberately avoided accessing native religions, out of respect for them, and have focused on cultural elements," Buckley said. "We have a strong commitment to the belief that by affirming culture, we also affirm self-identity."

The historical relationship between the United Methodist Church and Indian people is largely carried in the memory of elders and is being lost, Buckley said. In an effort to preserve the stories and information about historical events, the "Elders Project" was initiated in 1999 and is an ongoing initiative of the communications office. Stories from older people are being recorded and sent to the United Methodist Commission on Archives and History and specific tribal communities.

Each story an elder provides is copyrighted in that elder's name and becomes the property of that elder, Buckley explained. "In native tradition, a person's story belongs to them and should only be told by them. It is considered rude to tell someone else's story."

A Native American Hymn Preservation program is another on-going effort to document native culture, heritage and songs. Tribal hymns are being digitally recorded to preserve them for future generations. The communications office has recorded hymns from Montana, Alaska, and the Oklahoma Indian Missionary Conference. A compact disc featuring hymns recorded live at the 2001 session of the Oklahoma Indian Missionary and representing 11 tribes will be available in October.

Some of the resources available in the Sharing of the Heritage Kit also may be found, without graphics, on the Native American Communications Office Web site: www.naco.umcom.org. The site also contains cultural information and links to native sites and educational institutions.

For more information about Native American resources contact Buckley at naco@umcom.org or (615) 742-5414.

TRIBAL TRACTS

Tribal member named teacher of the year in Butner

(Editor's Note: The following article was taken from the Seminole, Okla. Producer - Sun. Apr. 29, 2001. Christy is a descendent of Laura Muller.)

Christy (Barnes) Dickerson has been selected Butner Public Schools 2000-2001 Teacher of the Year.

Dickerson is in her 18th year of teaching first grade at Butner Schools.

"Oh my goodness," exclaimed Dickerson when notified of her selection.

"It's such a privilege to be selected by people you look up too. And that's from the heart."

Dickerson graduated from Tecumseh Schools then continued her education at Seminole State and Central State University.

She said that she helped start the pre-school program at Butner, and has taught no where else but at Butner.

Dickerson said, when asked why she chose teaching as a career, "Because I've always loved babies, and I thought it would be a fun thing to do to help children."

The thing that she likes most about teaching is that the children need her.

"The children who need me the most get my heart - the children who have the

greatest need because they show how much they need me," explains Dickerson.

"They hang on to me and need me."

The thing that Dickerson dislikes most about teaching is the fact that sometimes a student will need additional attention, additional instruction before they are ready to pass onto the next level, and parents refuse to allow it.

Dickerson also had additional comments regarding her selection as Teacher of the Year.

"I want everyone to know how much I appreciate being selected Teacher of the Year, how much joy it gives me to be in children's lives, how much you learn

from good teachers and the special people around you" she said.

"It takes everyone from the secretary all the way up to the superintendent working together to make a teacher of the year."

Dickerson lives in Cromwell with her husband Kenny, a teacher and coach at Butner.

They have two sons, Chad and Todd, both of whom have chosen to become teachers.

Dickerson's parents are Red and Celeste Barnes of Asher.

Her selection as Butner Teacher of the Year qualified her to compete for the Oklahoma Teacher of the Year title.

BOOK REPORT

By HYALE SMITH
Tribal Rolls Assistant

Title: *Indians and a Changing Frontier: The Art of George Winter*
Authors: Catalog compiled by Sarah E. Cooke and Rachel B. Ramadhyani. Essays by Christian F. Feest and R. David Edmunds
Publisher: Indiana Historical Society, 1993. Available from the publisher, Amazon.com, and Borders

"And what is the use of a book," thought Alice, "without pictures or conversation?"
— from *Alice in Wonderland* by Lewis Carroll

If you share Alice's sentiment, then you will find this month's book to be most interesting and enjoyable.

In a previous review (*The Covenant Chain*), I mentioned a painting of a Potawatomi woman, D-Mouche-Kee-Kee-Awh (wife of Abram Burnett), done by the artist George Winter. Who, you might have asked, was this George Winter and why is he important to the understanding of Potawatomi history?

This book provides some answers to that question.

George Winter, born in England in 1809, came to America in 1830, where he studied art in New York and later moved to Indiana.

In 1837, when he heard about the proposed removal of the Potawatomi Indians from Indiana to west of the Mississippi River, he decided to visit the Logansport area for the purpose of seeing and learning something of the Indians and exercising the pencil in this direction.

In spite of an initial reticence on the part of his subjects, Winter soon gained the trust of the Potawatomi. Not only did they allow him to do his sketches, but soon they actively sought him out to paint portraits of their family members.

Winter's sketches, paintings and writings provide us with documentation of a vanishing culture: Potawatomi life in the mid-nineteenth century, at the time of the Removal, also called The Trail of Death.

He had unique opportunities to sketch the Potawatomi and Miami as an artist, but, like an historian, he also kept accurate records and wrote prolifically about his paintings and the subjects and circumstances of his works. In effect, he became one of the first ethnographers of our tribe.

Some of you are probably already familiar with his work. If you attend any of the Regional meetings, the informative slide show on Potawatomi history includes several of Winters watercolors. Winter painted everything from the historic to the ordinary. The reader can get a good idea of how their ancestors dressed, what they ate, and how they conducted their daily lives. His work includes paintings of the Council of Keewaunay, at which the Indians and American negotiated the terms of the Removal (later called the Trail of Death.) Another painting shows a Potawatomi Indian leaning on his horse, taking a short rest.

In conclusion, I highly recommend this book as an addition to your library of books about the Potawatomi.

If you are interested in reading this book, you can check with your local library or bookstore. (The Tribal Library does not lend books; they are for on-site research only.)

St. Gregory's University awarded large grant for special needs students

St. Gregory's University has been awarded a \$760,000, four-year U.S. Department of Education grant to provide expanded services to students with special needs.

The Student Support Services Trio grant, which is highly competitive, will allow SGU to build on its long tradition of reaching out to diverse students by structuring, tracking and evaluating services for 80 eligible students who face roadblocks to continuing their education. "This recognition by the U.S. Department of Education is an affirmation of St. Gregory's commitment to providing a personalized education of the highest quality for an extremely diverse student body," said SGU President Fr. Lawrence Stasyszen, O.S.B.

"We are especially delighted that this major grant will assist us in helping Native American and other minority students to develop their full potential through higher education and personal development. Such efforts have been an important part of our educational mission since our foundation in Indian Territory 125 years ago."

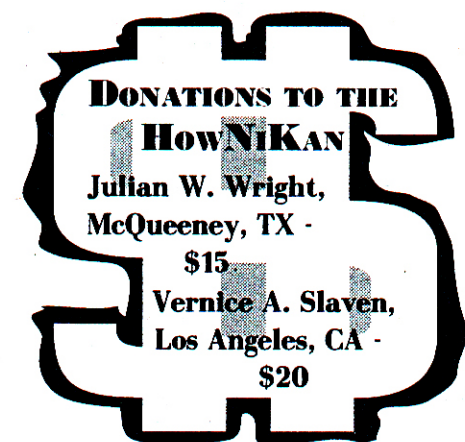
"Congratulations to St. Gregory's University for receiving this highly competitive federal grant from U.S. Department of Education. These funds will help the university continue its mission of outreach to Native American, minority and special-needs students," said U.S. Rep. Wes Watkins. The grant will provide SGU with \$190,000 each year during a four-year period. The funding will help the university develop a coordinated delivery system that will offer assessment, remediation, financial counseling and career exploration to special-needs students whom otherwise

might not attend college.

In particular, the grant is aimed at assisting students from Native American and other minority backgrounds who traditionally might not have been encouraged to pursue a college education. Among the grant's focuses is providing specialized career counseling, tutors and mentors who can help Native American students pursue personal and academic success.

The Student Support Services grant builds upon SGU's accomplishments in assisting Native American students through Project Success, a joint effort between the university and the Citizen Potawatomi Nation. Project Success targets Native American students in grades 9 through 12 in central Oklahoma and provides free college tuition while students are in high school, free books, free after-school tutoring and mentoring, free ACT and SAT tests, and free workshops on financial aid and applying to college.

For more information on either SGU's Student Support Services program or Project Success, call Michelle Ramirez at 878-5614 or e-mail mkramirez@sgc.edu



health hints



Keeping Kids Off Drugs

In our modern society every parent, school teacher, coach, youth minister and other adult who has an influence on tribal youth must learn to recognize the difference between teen drug "experimentation" and behavior that indicates a teen has a substance abuse problem.

Adolescent for Native American youth has become a time of exploration and experimentation with drugs. Most parents expect their adolescent to at least "try" some. Juveniles as young as nine years of age begin to experiment with inhalants, tobacco and alcohol. Often the motivation for this experimentation is curiosity or an attempt to cope with the pressures of growing up. For a few young people, this experimentation can have life changing consequences, as was the case for three Native American juveniles who were killed in the Shawnee area while inhaling gasoline fumes near a hot water heater.

According to Ray Tainpeah, Substance Abuse Counselor for the Citizen Potawatomi Nation, the difference between experimentation and abuse is the level of use. "When a teen begins to use drugs 3 times a week or even daily, the teen behavior is closer to addiction than experimentation," Tainpeah said that there are warning signs parents can look out for such as unexplained weight loss, a drop in grades or skipping school.

Tainpeah said that parents who

believe their child might be using drugs should contact the school at least once every nine weeks to check on their child's attendance. "Sometimes parents find out that the school has been sending report after report but the parent has never received them."

"Kids skip school to do drugs and this leads to more risk taking behavior such as driving under the influence, gang activity, sexual promiscuity or criminal activity."

According to Tainpeah, if parents are willing to confront and participate in their child's substance abuse treatment, that child's chances of successful treatment are greatly increased. "If the parent doesn't intervene, the courts will, but for many families the intervention comes after some tragic consequence. Some research indicates that over 80% of the people serving prison terms are in prison for an alcohol or drug related offense."

Ray also believes that one of the best interventions available for parents today is to be a good model. "Parents should set a good example by not using illegal drugs, tobacco and alcohol. Their teen may still experiment but the parent's example will be a big influence in keeping their kids off drugs."

For information on adult and juvenile treatment services available through the Citizen Potawatomi Nation Contact Ray Tainpeah at 405-273-5235, ext 257.

Fifteen complete drug program

Fifteen teenagers received their Certificate of Completion in graduation ceremonies conducted by the Behavioral Health Unit - Substance Abuse Services during the month of March. The program began in November 2000 and requires teens to attend two hours a week for four months.

Students and their parents who are involved in the program receive mental health and substance abuse counseling during the four months. Parents have their own support group they attend while the teen is meeting with counselors and other teens.

Kim Kannady is the provides substance abuse niles supported by take/Assessment) (Substance Abuse Program Coordina- The program by a contract with homa for extended for youth 13 to 18. Ju- ferred and accepted experiencing academic, lems related to substance juveniles without regard to



mary counselor who pro- counseling to the juve- Deborah Galbraith (In- and Ray Tainpeah Counselor) who is the tor.

funding is provided the State of Okla- outpatient services veniles who are re- into the program are legal and family prob- abuse. The programs serve Race or religion.

According to Kim, the program offers a "one shop" approach to juveniles and their families. Tutoring services are provided on site for juveniles having difficulties in school as well as family counseling and other services which the family might require. These "wrap around" services are provided free of charge to the client and are not a part of the funded State contract.

Kim stated, "When one person is affected by substance abuse, the entire family is affected. Depression is much more common among youth than parents want to recognize. Providing services, even when they are not a part of the contract, allows us to meet the immediate needs of the family. We can even help people get a job by referring them to the Employment and Training Department."

Participation in the program is voluntary but requires commitment and involvement. Teens who miss three sessions are dropped from the program. For more information contact Kim at 405-273-5235, ext. 226.

National groups join forces to fight inhalent use

(Washington, D.C.) - The Office of National Drug Control Policy (ONDCP) teamed up with other government agencies, the National Inhalants Prevention Coalition, and industry representatives to educate parents about the dangers of inhalants use during National Inhalants and Poisons Awareness Week, March 18 - 24, 2001. Joined by representatives from the National Inhalants Prevention Coalition, the Centers for Substance Abuse Treatment and Prevention, and the Compressed Gas Association, ONDCP Acting Director Edward H. Jurith described the dangers of inhalant use and national efforts to reduce it.

"The National Household Survey tells us that today there are almost a million new inhalant users — up from 390,000 in 1990. A survey conducted by the Partnership for a Drug-Free America found that one in five youth report sniffing or huffing common household goods such as air fresheners, cooking spray, markers, and glue at least once in their lives to get high. These items can be deadly, but they are right under our kids' noses everyday. When kids sniff or

huff, they are inhaling poisons that do real damage, or can even kill them," Jurith said. More than a thousand different household and commercial products can be intentionally abused by sniffing or huffing (inhaled through the mouth) to get high. Such substances are readily available in any home or school and include adhesives, aerosols, cleaning agents, food products, gases, and solvents.

A 1999 Partnership for a Drug-Free America Attitude Tracking Study showed that although most parents say they have talked to their children about drugs, only about half have spoken with their kids specifically about inhalants abuse. The same study found that parents often underestimate the use of inhalants, with only twenty percent of parents believing it is extremely or very likely that their child could be using inhalants. Jurith said, "Parents must be constantly aware of their children's activities and behavior, and pay attention to signs of inhalants use, such as missing household items, soaked rags, and chemical smells on clothing."

ONDCP's National Youth Anti-Drug

Media Campaign has developed tools and resources to help parents prevent and detect inhalant abuse. The effort includes a national print, broadcast, and on-line advertising campaign that

makes facts, materials, and prevention strategies accessible. Information is available at the Media Campaign website, www.mediacampaign.org.

What are inhalants?

Inhalants are volatile substances that produce chemical vapors that can be inhaled to induce a psychoactive, or mind-altering, effect. Although other abused substances can be inhaled, the term "inhalants" is used to describe a variety of substances whose main characteristic is that they are rarely, if ever, taken by any route other than inhalation. Hundreds of everyday household products are being used by kids to get a quick high by sniffing directly from an open container or "huffing" from a rag soaked in the substance held to the face. Common inhalants used to get high include rubber cement, paint thinner, nail polish remover, gasoline, correction fluids and bleach.

Startling Statistics

- Almost half a million young people use inhalants in any month National Household Survey, 1999).
- There were an estimated 991,000 new inhalant users in 1998, up from 390,000 in 1990 (National Household Survey, 1999). The rate of first use among youths age 12-17 rose significantly from 1990 to 1998, from 11.6 to 28.1 per 1,000 potential new users.
- Twenty-one percent of youth have at least tried household products once in their lifetime to get high (Partnership Attitude Tracking Study, 2000).

Effects of inhalants

Inhalant use can cause a number of health problems, including suffocation and even death.

- Short-term- heart palpitations, breathing difficulty, dizziness, and headaches.
- Long-term- damage to the brain, nerve cells, heart, and lungs.

Physical signs of inhalant abuse

- Unusual breath odor or chemical odor on clothing
- Spots and/or sores around the mouth
- Nausea and/or loss of appetite
- Slurred or disoriented speech
- Drunk, dazed or dizzy appearance
- Red or runny eyes or nose

Why do kids use inhalants?

Products are widely available, inexpensive, easy to conceal and are legal. Most users do not realize how dangerous inhalants can be. Many young people start because they don't think these substances can hurt them. Once hooked, they find it a tough habit to break.

Who is at risk for using inhalants?

One in five youth has used inhalants. Young people from all socioeconomic groups and ethnic backgrounds have tried inhalants, yet 9 out of 10 parents refuse to believe their children have ever abused inhalants.

Nine new Trail of Death markers added

By Shirley Willard, Fulton County
(Indiana) Historian

The Trail of Death Regional Historic Trail will soon be the best-marked historic trail in the U.S. With 65 historical markers on 661 miles, the Trail is getting close to reaching the goal of a marker at each campsite, every 15 to 20 miles, plus a few more in special places.

The Trail of Death was the forced removal of the Potawatomi Indians from Indiana to Kansas in the fall of 1838.

This Trail of Death was declared a Regional Historic Trail by resolutions passed in the state legislatures of Indiana, Illinois, Missouri and Kansas, at the request of the Fulton County (Indiana) Historical Society and the Trail of Death Commemorative Committee. The committee consists of several Potawatomi who had ancestors on the Trail of Death, the historical societies of the counties crossed by the Trail, and interested historians and persons. All markers have been erected by donations from interested persons and groups, at no expense to taxpayers.

Nine new Trail of Death markers were added in 2000, all paid for by volunteers at no cost to the taxpayer. The markers are paid for by people who really care about the Indians, not the government, which forced them to leave their homelands in Indiana and trek all the way to Kansas. About 40 died on the way, mostly children and elderly.

Each dedication is different because it is planned by the people who erected the markers, including Boy Scouts and Scout leaders, youth groups, historians and historical societies, interested persons and Potawatomi families.

On July 22, we took part in the dedication at Niantic, Ill. The marker, a metal plaque on a boulder in the town park, was placed by Boy Scout Griffin Smith, for his Eagle project. The marker was sponsored by brothers Gerald Wesaw and Thomas Wesaw, Pokagon Potawatomi living in Michigan. As historian, I always tell the history of the Trail of Death at the dedications. Tom Hamilton, Citizen Potawatomi Nation, did the blessing. Theresa McNary, Citizen Potawatomi, attended also. It was a nice sunny day. Griffin's family served the best chocolate chip cookies I ever ate.

On Aug. 26-27, we helped dedicate seven markers in two days. They were all erected by Boy Scouts in western Missouri. My husband Bill and I rode from Indiana with George Wesselhoft and Tom Hamilton, cousins descended from Abram Burnett, who was on the Trail of Death. The weather was terribly hot: 101 degrees on Saturday and 105 on Sunday.

The first marker was near Grandview and to get there we had to drive through the dreaded Grandview Triangle. This is an intersection of three highways and, like the Bermuda Triangle, gets people lost or turned the wrong direction every day. Charles Hassenyager and his troop had the words cut into stone for the Trail of Death marker but they did not have it erected yet. The Department of Natural Resources had not given final permission for placing it by the shelter house and picnic area at Minor Park's Grand River fishing site, located on Red Bridge Road on west side of Grandview. So they stood the stone against a tree for the dedication. Jim McKinney, Prairie Band

POTAWATOMI SCRAPBOOK

Potawatomi, read a poem he had written, accompanied by his drum. He did the blessing of the marker with a burning sage smudge stick. George Godfrey, Sister Virginia Pearl, Theresa McNary, and Galen Kabance, all Potawatomi, came from Kansas to attend.

Then one of the Scout leaders in a silver pick-up truck led the group of Potawatomi, Scouts and Scout leaders, historians and interested people to Grandview to eat at the Old Country Buffet. During lunch Jim McKinney told us he teaches Potawatomi culture and language at Royal Valley School, Holton, Kansas. He thinks he may have ancestors on the Trail of Death and is doing research. His son, Smokey McKinney, has a Potawatomi web page with much Trail of Death information.

Next we followed the Scout leaders to Lake City bicycle park on the Little Blue River on Highway M78. There the Scouts had set up a tent to provide shade, and it was a good thing as the temperature was getting close to 100 degrees. So we did our speech making in the shade and then went to stand by the marker for the blessing. The metal plaque was on a boulder that was reputed to be really ancient, a kind of volcanic rock. It looked different all right. Jon Paul Wilson was the Boy Scout who did this marker for his Eagle project.

On to the next, following Gene Pittman, Scoutmaster. This marker was at Buckner Wetland Preserve on Fire Prairie Creek east of Buckner. There was a shelter house by a pond with wood duck nesting boxes. Again we gave our speeches in the shade and then formed a circle around the plaque that Boy Scout Joshua Donnici had erected. The temperature had risen to 101, so we were glad to have refreshments of cookies and ice water. There must have been 50 or more people in attendance.

Now we switched Scout leaders, following Kevin Jenkins to Napoleon where Jason Shirk had gotten the stone but no plaque yet. It was just too hot so only a few people attended this dedication and blessing of the marker. We sat in the picnic pavilion for the speeches and then went to stand by the marker in the sun for only a few minutes. It was hot!

For the fifth and last marker of the day, we continued to follow our Scout leader Jenkins to Wellington Town Square. There were big trees and we were a few minutes early, so Jim McKinney and George Godfrey lay down on the grass to rest. George Wesselhoft and Tom Hamilton sat in Tom's air-conditioned van. My troops were getting weary from the intense heat and five markers are a lot to dedicate in one day! This marker consisted of a boulder with the place for the plaque cut out but the plaque had been removed and sent back because it had the wrong date. The Boy Scout, Jarod Jenkins, was very shy, so his father did most of the talking. The Mayor of Wellington, Rick Peterson, attended, as did three City Councilmen, including one who wore overalls as he had been working all day. This prompted George Godfrey to tell a joke about a Yucca Indian who said his tribe's native dress was overalls. The mayor is blind; he welcomed the visitors warmly.

McKinney and Godfrey headed back home to Kansas, while Tom Hamilton, George Wesselhoft, Bill and I went back to the Lexington Inn to take showers, cool off and finally eat supper.

The next day was Sunday and began with a dedication at 10:30 at Lexington. The new Trail of Death historical marker was erected beside the Madonna of the Trail, a huge statue of a pioneer woman with her children, on a hill overlooking the Missouri River. This was very close to where the Potawatomi crossed the river in 1838.

Charles Scott, former Scoutmaster, had gotten the boulder donated and organized the dedication. The plaque was paid for by Galen Kabance, Pittsburg, Kansas, and member of Prairie Band Potawatomi. It was in memory of his ancestors, who had moved from Indiana to Kansas but not on the Trail of Death. George Godfrey came back from Kansas to do the special blessing ceremony by burning a sage smudge. Fallen crabapples made the ground slippery. After the dedication we ate at The Victorian Peddler with the Mayor and other Lexington officials.

At 1 o'clock we drove to Richmond to dedicate the marker in the Richmond High School yard. It was very hot so we stood under a shade tree for the speeches and then went out in the sun to dedicate the marker. The top of the stone has room for two markers so the Richmond Historical Society offered to place a map of the Trail of Death there to complete the marker. A McDonalds was right across the street so we went there afterward for cool drinks and to change from our Potawatomi outfits. Then we all headed home.

On Oct. 7 we dedicated a marker two miles east of Moberly, Mo., at the Hutsell roadside park on Highway 24. The weather was the complete opposite of the heat we had endured a few weeks ago. There was a cold wind and we nearly froze. Dolores Grizzell, Winamac, Ind., was the donor of the plaque and she served as emcee. There were three Potawatomi who helped with the unveiling of the plaque on the boulder: George Godfrey, George Wesselhoft and Howard Kline. Afterward we went to the Huntsville town hall for a delicious lunch prepared by the Huntsville Historical Society. A university student from Columbia, Mo., videotaped the ceremony and interviewed Godfrey for class credit.

Last Trail of Death Marker to be Dedicated in Indiana

The last historical marker needed to mark the campsites of the Trail of Death Regional Historic Trail in Indiana will be dedicated Sat. March 3 at 2 p.m. The marker is on the north side of the Wabash River west of Lafayette. The public is invited.

The marker is a big boulder with a metal plaque. Jim Crites, West Lafayette, erected the marker at his home on county road 950W by the Wabash River where the former town of LaGrange stood and where the Potawatomi camped in 1838. Crites used a boulder from his property. The metal plaque is sponsored by the Elder Council of the Pokagon Potawatomi. Marge Moody, South Bend, is head of the Pokagon Elder

Council. Crites' sister-in-law, Verna Yoder, painted an Indian head on the boulder above the plaque.

Directions. Go west of Lafayette on highway 26, turn south (left) on County Line Road, turn left on CR 75 S, turn south again (right) on CR 950 W. Go two miles to Crites' house, which is on right. The big boulder is beside the road by his house. His address 2970 S 950 W is on the mailbox.

New Trail of Death Marker to be Dedicated at Jacksonville Pow Wow

The Native American Fellowship Council, Peoria, Ill., is sponsoring a new Trail of Death historical marker at Jacksonville, Ill. which will be dedicated during the Potawatomi Pow Wow. The dedication will be Sat. May 19 at 5 p.m. The marker is being co-sponsored by the Morgan County Historical Society, Jacksonville. The marker will be a metal plaque attached to a boulder. It will be located in Foreman Grove Park on the east side of Jacksonville on East College Ave. and Johnson Street. The public is invited.

The marker will be in a circle of trees, the campsite of Oct. 1, 1838. The diary records that a child fell from a wagon and was very much crushed under the wheels. Chiefs reported that two runaways left camp that morning. Late at night the camp was complimented by a serenade from the Jacksonville Band.

The Pow Wow will be Friday May 18 to Sunday May 20. It is held at Community Park on East Morton Ave and South Main, about a mile southwest of the park where the marker will be dedicated. Admission is free.

Trail of Death Plaque at Old Capitol, Springfield, Ill.

The Pokagon Tribal Council sponsored a plaque to be erected at Springfield, Ill., by the Old Capitol building. The Trail of Death diary tells of the Indians dressing in their best and marching through Springfield, and the journal of a stone mason, Jarold P. Irwin, helping construct the new capitol, tells of seeing them go by. A date has not been set for the dedication yet.

This will make 65 markers on the Trail of Death Regional Historic Trail. Only five more are needed to complete the Trail markings and they are in the works: Perry and Quincy, Ill.; Palmyra, Mo., and at the end of the trail at the St. Philippine Duchesne Memorial Park. In 1995 Bill and Shirley Willard hauled boulders from Indiana and Illinois to Tom Moylund's house at LaCygne, Kansas, so he could make a special marker at the end of the Trail of Death incorporating boulders from all four states. But it has not been finished yet. It was Tom's idea to make this special memorial using boulders from the four states so Willards did two in Indiana, one at the Rochester courthouse and one in front of the Fulton County Museum.

For more information, contact Shirley Willard, Fulton County Hist. Soc., 37 E 375 N, Rochester IN 46975, phone 219-223-4436 or e-mail willard@rtcol.com. Visit the Fulton County Historical Society Web site at <http://www.icss.net/~fchs>

Upon completion of all the markers, a map and guidebook will be published. Tom Hamilton, Citizen Potawatomi Nation member and descendant of Abram Burnett on the Trail of Death, is designing the map on his computer.

In five minutes they will be on a school bus.
Somebody on the bus may ask them if they want to try drugs.



Now would be a good time to talk to them.

Who is your child's best friend? What does your child do for fun? What did your child do at school today? Does your child know about drugs? These are a few simple things that a parent should know about their child. Take the time to become involved with your children and communicate to our youth that drugs are not a part of our Native cultures.

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Two committee resolutions sent back to lower court

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Chairman Linda Capps, Secretary-Treasurer Gene Bruno, Hilton Melot and Jerry Paul Motley. Resolution 01-45 would have stripped Barrett of the ability to sign checks, and Resolution 01-46 would have prevented him from hiring or firing employees making more than \$30,000 a year.

The court ruled that those two resolutions were improperly before the court and remanded them back to the District Court "for further proceedings not inconsistent with this opinion." The ruling states that "it is not the role of the Courts to determine whether particular legislation or actions are wise, but to determine whether they are Constitutional and otherwise lawful... (such) issues (are) best left to proper legislative determination through the available political processes in the absence of Constitutional directives to the contrary."

Although all three resolutions were initially passed on 4-1 votes with only Barrett opposed, Capps later withdrew her support and the Court granted her petition for removal as a plaintiff.

"The Supreme Court decision did not remove the chairman's ability to supervise the affairs of the Business Committee and of the General Council," Barrett said in an interview. "This authority is given in the Constitution. The Supreme Court decision also prohibits the Business Committee from enacting legislation which would limit that authority."

Barrett said he is particularly disappointed that the opinion did not resolve the central issue. "When I agreed to dismiss my original action in tribal court asking for a judicial interpretation of the authority of the chairman and the authority of the business committee, I withdrew my lawsuit in good faith with the promise from the tribal attorney that the lawsuit filed subsequent to my withdrawal would result in allowing the courts the ability to interpret the constitution." But, he said, Resolution 01-01 was written for the Business Committee in such a way as "to narrow the scope of the judicial interpretation. As a result, the true need of the Citizen Potawatomi Nation to get an interpretation of the constitution that defines the authorities of the two bodies

was not met.

Essentially, the Court said it is up to the Business Committee whether tribal officials are paid or not. "There is no prohibition," the ruling states. "This leaves the issue of payment to tribal officials to be a matter best left to the political process, and not a mandate of the Courts."

"This decision will most assuredly create more lawsuits," Barrett said. "The Supreme Court decision creates a prohibition only of the chairman's ability to create new positions and fill them. His ability to hire and fire those in existing positions is not addressed and must therefore remain intact."

He said he intends to "come to work every day, just like always," even though he won't be paid for his work as he has been since October 1996. That almost five year period has been one of significant growth, he maintained, with revenues increasing from \$20,322,268 in 1996 to \$41,343,596 in 2000, an average annual growth rate of 20.69 percent.

"Their not giving me a check for that is an expression of their support of my opponent in the last election," he said. Barrett defeated challenger Esther Lowden in the June election, polling 70 percent of the vote. "The Supreme Court didn't get to what we intended to get to, what I sought in good faith... They may not have spoken to the issue we wanted, but I'll tell you who did speak — the people."

"We are not leaderless. I still have the right to hire and fire." He said the decision has underscored his determination to amend the tribal Constitution. "In 1985 when we amended the Constitution, we attempted to create a separation of powers... The Supreme Court decision in this lawsuit shows that creating separate sections in the Constitution for the executive, legislative and judicial branches was not sufficient to accomplish a true separation of powers. We must change our Constitution. The Court is entirely correct that the chairman should not have the power to spend money without the authorization of the Business Committee, and correspondingly the Business Committee should not have the authority to run the day to day affairs of the tribe. This Supreme Court decision did not resolve that question."



Officials, Guests Break Ground At Dedication

Chairman blesses new water project cites tribal role at special ceremony

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gave a Potawatomi blessing and prayer in both English and the Potawatomi language. Chairman Barrett cited the importance of the history of the Citizen Potawatomi Nation's people to the Wanette and surrounding Southern Pottawatomie County area. Barrett told how proud the leaders of the Citizen Potawatomi Nation are to play an important part in the development and construction of the District No. 3 Rural Water project. The Citizen Potawatomi Nation assisted with contributions of \$925,000 in grant money for the total project budget of \$6,435,000. The Nation was eligible to apply for the funding due to the Indian population of the targeted area, and the ability of the Nation's employees to obtain grant funds. John Robinson, Chairman of Rural Water District No. 3, praised Citizen Potawatomi Nation leaders and employees Don Reynolds, Civil Engineer; Bill Nuttle, Roads Director; and Tom Treat, Design Specialist for their contributions to the project.

Approximately 950 rural residents will be served by 212 miles of water lines, three water towers and a water treatment plant. Of the 950 rural residents, many are Native Americans. As Chairman Barrett asked for a show of hands of the Citizen Potawatomi Nation



Chairman Barrett Blesses New Water District

tribal members at the ceremony, approximately 20 tribal members raised their hands. "Water is the lifeblood to Mother Earth... there's nothing more important than the giving of water to people," Barrett said. During the blessing and prayer, Barrett prayed for the success of the project and asked for blessings to be bestowed on the water... noting that the word "water" in the Potawatomi language is "bish."